

JUDGE'S COPY

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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FILED

JUL 10 2001

MARY E. D'ANDREA, CLERK
Per 9/5
DEPUTY CLERK

ENRIQUE HENRY GARZA,

Petitioner

v.

DONALD ROMINE, WARDEN,
ET AL.,

Respondents

CIVIL NO. 3:CV-01-1128

(Judge Rambo)

NOTICE OF ELECTION

I, Enrique Garza, petitioner in the above-captioned action, have read the Order of Court which accompanied this form notice. Pursuant to that order, I elect to proceed in this action as follows:

X

Option 1. - The Court should rule on my case as filed.

Option 2. - Recharacterize and treat my case as a proceeding under 28 U.S.C. §2255. I realize that the law does not allow me to file successive or later petitions unless I receive certification to do so from the United States Court of Appeals for the Eleventh Circuit.

_____ Option 3. - I wish to withdraw my petition which was filed under 28 U.S.C. §2241 and file one all-inclusive petition; that is one that raises all the grounds I have. I realize this all-inclusive petition must be filed within the one year period as defined by 28 U.S.C. §2244(d).

Date: July 1-01

Enrique Garza
Enrique Garza, Petitioner